

**AGENDA MEMORANDUM
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

TO THE PLANNING COMMISSION MEMBERS:

Date Prepared: March 16, 2016

Date of Hearing: March 22, 2016

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Reviewed by: Jason Bradford, AICP, Planning Division Manager

Subject: The Local District Plan

Request: Hold a public hearing and make a final determination on a proposed master plan known as The Local District Plan

PURPOSE:

To review, at a Public Hearing, a proposed master plan known as The District Plan. The purpose of the District Plan is to jointly study, with Adams County, a proposed district planning area within the south Brighton growth boundary, to evaluate appropriate land uses for the area and provide guidance for future development and preservation in the area.

BACKGROUND:

Brighton is home to a rich and diverse agricultural background, which has been central to the formation and establishment of the community. While the small agricultural town has developed into a small city over the last century, its heritage has not been forgotten and still remains to be a character defining feature to its residents. This mentality first began to be realized with the adoption of the current Brighton 2020 Comprehensive Plan which was adopted in 1999 which established much of this land as an Agricultural Conservation Area. Furthermore the *Brighton South Sub-Area Plan* was adopted in 2005 and highlighted the importance of preserving prime agricultural lands in the area, and establishing ditch and floodplain corridors where development would not be appropriate. At the time, the conservation interests were restricted by the anticipation of significant growth and development pressures expected in the area. However, the economic downturn only a few years after the Sub Area Plan adoption halted all development opportunities in the area. In 2012, the *Adams County Parks, Open Space and Trails Master Plan* and the *Adams County Comprehensive Plan* were adopted by Adams County, which again emphasized the area as an Agricultural Tourism Study Area that could capitalize on the lands rich soils and agricultural heritage. Today, the City's major comprehensive plan amendment known as Be Brighton, revealed through an extensive public engagement process that the importance of preserving the area for farmland instead of typical development was still the clear

and overwhelming desire of Brighton's community. One of the proposed District Plan's four main themes focuses on this feedback, which is titled "A Future Rooted & Growing in a Farming Heritage & Small Town Feel."

Growing support and interest in preservation of these agricultural lands is not surprising when considering local and national trends related to local foods. According to the U.S. Department of Agriculture (USDA) the number of local farmers markets has more than quadrupled since 1994 to nearly 8,500, with more than 150 of them located here in Colorado. This is coupled with a new farm-to-table movement as families look to reconnect with the food on their table, and strive to keep their spending within the community. *Refer to pgs. 1-3 of the attached Adams County Planning Commission Staff Report for additional information.*

Despite the overwhelming support from both the City and the County residents to see preservation in the area, there are a few existing conditions that continue to make preservation unlikely without changing conditions. First, a majority of the landowners who established the agricultural uses have little or no succession plan for long-term agricultural use, and are looking to sell their land at the highest possible value. Therefore, previous plans simply dedicating the land for preservation do little to address tension between the desired use of the community and the property owner. Secondly, shifts in the agriculture market have risen the cost of farming while reducing the generated income off the land. Farming as it has traditionally existed in this area is becoming less and less viable in the future, and preserving viable agricultural use in this area may require assistance and support from the City and County.

PLAN PROCESS

Recognizing these conflicts, and the importance of working towards a solution, the City Council entered into an Intergovernmental Agreement (IGA) with Adams County to hire a consultant team for the study and development of a plan for the area. The IGA directed Adams County and City staff to ascertain and develop the community vision for local food production, conservation, tourism, and future land uses in the area south of Brighton, and recognized that further study of the area was required to determine the viability of continued agricultural and related uses. *Refer to attached approved IGA and Council Resolution.* The consultant team selected to help staff achieve this directive included Logan Simpson for overall management and technical support of the public engagement and plan drafting process; Two Forks Collective to work directly with land owners and provide agricultural tools and resources for the plan; Crossroads Resource Center to study the agricultural market, and address the needs of developing and sustaining a viable agricultural market; HRS Water Consultants to research existing water rights associated with the lands in the proposed District; and lastly Urban Interactive Studio to develop a project website which would engage and inform the public throughout the process. In order to unify the District Plan with the Be Brighton Comprehensive Plan, staff worked with the County to study the area and present proposed solutions and concepts for inclusion in the Plan. While the District Plan and Comprehensive Plan function independently of each other, the Be Brighton Comprehensive Plan address goals and policies for the City as a whole, while the District Plan also focuses on County lands within the City's growth planning area. Both Plans are advisory documents intended to provide guidance in land development decisions.

A general schedule and outline of the planning process can be found on pages 6 and 7 of the proposed District Plan. This Plan outlines how the public, stakeholders, and leadership of both the City and County were engaged during the Plan drafting process.

General Public & Neighborhood Meetings

Prior to bringing on the Consultant Team, two neighborhood meetings were offered to the general public. These two meetings, held on July 8th & July 13th were highly attended and helped staff to initially understand many of the neighborhood concerns and conflicting interests that needed to be addressed. In addition, the second meeting offered an opportunity for those with committed interest to sign-up and participate in the Stakeholder and Working Group Meetings (see additional information below).

Additional neighborhood meetings were held on October 26, November 16, December 14, February 22 and February 29. During these meetings, the Consultant Team first introduced the plan purpose; assessed and presented findings on the district opportunities and constraints for both development and preservation issues; reviewed the market and water study findings; heard guest speakers address current issues; and finally received comments and public feedback on the draft Plan documents.

Throughout the process, staff worked to include a large number of property owners and the general public. In addition to the neighborhood meetings mentioned above, a project website was maintained by the City and County to help encourage public participation throughout the process and include those unable to attend the meetings in person. The website included informational reports, meeting summaries, upcoming meeting dates, draft plans, and five informational videos as the process progressed. Approximately 1,600 postcards were mailed to property owners within and around the district on two separate occasions, several posts were made on social media sites, and publications in the Brighton Blade, Daily Post, and Brighton Connection (mailed to all City residents), which gave the general public numerous opportunities to be involved.

Stakeholder & Working Group Meetings

Stakeholder and Working Group Meetings were held in addition to the general neighborhood meetings in order to offer more personal attention to highly interested parties during the process. In addition, many of the participants shared their own knowledge and expertise to help further develop the options proposed in the draft Plan documents. Also during the process, staff regularly joined the Ag-Preservation Sub-Committee to keep them apprised of the Plan process and obtain feedback and insight on preservation topics and development opportunities.

The Stakeholder and Working Group Meetings were held on October 19, November 9, and November 16. The Consultant Team and staff also presented to the Ag-Land Preservation Sub-Committee on November 4, and met with key landowners one-on-one over January 12 and 13. These meetings were primarily held in order to receive initial feedback on additional information to be shared with the public such as development opportunities and constraints, the market and water studies, and land use and development concepts and scenarios, as well as to personally ensure that each of the landowners were heard and their concerns were addressed within the proposed Plan documents.

Adams County and City of Brighton Leadership Meetings

Throughout the process, the Consultant Team and staff have worked to keep City and County leadership apprised of the process and proposed ideas so that the draft Plan would be harmonious between jurisdictions. In order to effectively unify the Plan, staff has gone to great lengths to coordinate not only at a staff level, but to get feedback from leadership along the way.

More than 13 meetings were held between the Adams County Planning Commission, the Adams County Board of County Commissioners, the City of Brighton Planning Commission, and the City of Brighton City Council to present updates on the Plan process, and potential elements of the proposed Plan.

THE PROPOSED LOCAL DISTRICT PLAN

Vision, Opportunities, and Constraints

The first phase of the project was for staff to establish a baseline with community comments and interests regarding the area. The Consultant Team did this by drafting some initial fact sheet summaries that present the major opportunities and constraints within and surrounding the area. Summaries were drafted around the topics of Business, Transportation, Farming Heritage, Agricultural Assets, Water Rights, Land Use and Development, and Farming, Food and Economic Development Opportunities. Through extensive public comment and discussion, these summaries have been revised and incorporated into Chapter 2 of the Plan. Several studies prepared by sub-consultants, also gathered important and insightful data during this time on more complicated issues such as the agricultural market, and existing water rights. Those documents are referenced throughout the Plan text and provided as Appendices to the draft Plan. Key findings from the existing conditions and opportunities analysis can be found on page 28, which outlines the strengths and limitations of the District, as well as challenges and opportunities for the District.

Through conversations held at the neighborhood and stakeholder meetings, a vision was drafted for the area. The vision aims to address how the Plan might help overcome any limitations and challenges facing the District, and capitalize on the area's strengths and opportunities. Overall, the Plan vision strives to integrate both agricultural preservation with development opportunities in order to reflect the desires of both the City and County communities as a whole, and the interests of land owners within the Plan area. The vision goals and concepts can be found on page 3 of the draft Plan.

Recommendations

Moving forward, the Consultant Team, Adams County and City Staff, and the engaged public began exploring recommendations that would align with the District Plan vision. The result, is that the proposed Plan increases landowner options while working towards the overall community's goal to honor and preserve the agricultural heritage of the area. Currently, a majority of the landowners within the District Plan area are limited to developing land uses within the applicable County zoning, or (depending on the location of the property) annexing into the City for development. With consideration of the land development constraints in the

area, the Plan recommendations are intended to propose realistic and unique land use options that would increase the opportunities for land owners.

Current Zoning

Approximately two-thirds of the land within the district is un-annexed territory which is primarily zoned A-1. The Adams County A-1 zone district generally allows for agricultural and low density residential uses (lot sizes greater than 2.5 acres). Existing Adams County regulations along with limitations for services (well and septic only) generally prevents this land from redeveloping toward higher urban densities which can be more profitable.

The other one-third of the land which exists within the District Plan has already been annexed to the City and zoned for development. Lands such as these are identified for development in the Plan, and are expected to absorb a majority (if not all) market driven development that might occur in the area over the next 20-30 years. This Plan would not change or modify any existing entitlements for properties which are already annexed and zoned, but this Plan may create additional market opportunities should they wish to amend their entitlements in the future.

Agricultural Land and Water Conservation

Adams County and the City of Brighton have already begun to preserve lands within the Plan area, and have purchased approximately 400 acres of open space within the proposed district area. Without developer interest in the area, the Plan encourages such open space conservation as a viable opportunity for landowners wishing to sell their property within the next decade or two. Additionally, approximately 770 acres of land are within the floodplain and as such are unsafe or unsuitable for development. Therefore, preservation in this area may provide a financial resource not otherwise available in the private market. The Plan outlines how the City and County might continue to purchase land outright or through conservation easements depending on the land owner's interest and circumstances. It also provides summaries of what preservation in the area might look like if the City and County chose to be more focused on the area and increase funding for land conservation. This section also provides guidance for managing such lands, should the City and County acquire them, which is a vital component to ensuring that agriculture remains on the land as the area urbanizes and the agricultural market trends shift over time.

Local Food System

A significant constraint to the land in this area is the lack of market interest and high cost of development, as well as a shifting agricultural market which discourages the traditional type of agriculture familiar to this area. As a result, the Plan studies alternative markets that have successfully created unique niche markets elsewhere, which markets could thrive in this area. A central component of these examples is building up a local food system that connects the community to the markets in their own backyard, and extends to surrounding communities which are not as fortunate to have this type of agriculture amenity. The proposed District Plan explores ways that food systems and agri-tourism have been successful in all types of communities, and how rapidly market trends have continued to shift towards these new market types. While a local food system is not a direct development option, establishing or growing one will help to increase development interest to the area, by providing an alternative market to counter the saturated inventory of approved entitlements in the surrounding area. *Also refer to Appendix A*

of the proposed District Plan which provides a detailed analysis of “Farming, Food, and Markets in Adams County.”

Cluster/Conservation Development and Transfer of Development Rights (TDR)

As previously mentioned, nearly two-thirds of the land within the district area is located in unincorporated Adams County. In order to provide development options beyond current County zoning allowances, additional density bonus programs could be used to help increase the value of the property.

Cluster Development is a program which multiplies the number of residential units permitted on a property if they are built in a cluster (small portion of the property), leaving the remaining land to be preserved for agriculture. Refer to pg. 50-51 of the proposed district plan for additional details and diagrams.

TDR Development allows land owner to significantly multiply the number of residential units permitted on the property, provided that those units are transferred or sold to be used on another property more appropriate for development. Land which provides the residential units are known as “sending” areas, and land that receives the multiplied number of units are known as “receiving” areas. Refer to pg. 52-54 of the proposed district plan for additional details.

While both programs will be available to unincorporated lands, a future suggested alternative is that staff pursue the development of similar programs within the City as well.

Apply for Annexation with Performance Criteria

Only a limited portion of properties within the District area are eligible for annexation. Of those, only a few are adjacent to City limits and have infrastructure (streets and utilities) within close proximity. For these lands, a variety of development opportunities are listed as appropriate for the area. Ranging from commercial uses such as bed and breakfasts or restaurants, to light industrial uses such as processing and food storage, to residential neighborhoods that reflect the agricultural heritage of the area. Although existing City zoning districts could be used to accommodate these types of development, the Plan recommends that the City consider amending the Land Use and Development Code to provide more direct incentive and guidance towards efficient and sustainable development in those areas.

Development Options Map & Land Use Map

Not all of the development options in the Plan are appropriate or viable for all of the properties within the District. For example, certain properties are too far removed from City limits and cannot meet statutory requirements for annexation. Therefore, a Land Owner’s Option Map provides guidance on the types of development that may be an appropriate alternative.

In addition, the Future Land Use Plan Map recommends future land uses that may be appropriate for the area. All properties which are not existing County development or annexed into the City limits are designated as Local District Mixed Use. A description of this land use type can be found on page 38 of the proposed district plan. Note: the Future Land Use Map does not determine the zoning for any property, and is only an advisory guiding document for the Planning Commission and City Council to use when considering a proposed development

application. As is the case now, all future land use applications would be required to follow the established, applicable procedures and public notice requirements for review and approval.

Action Plan

Lastly, the Plan sets forth a recommended Action Plan for the City and County, in order to establish a clear path towards implementing the Plan recommendations. Action items are key to maintaining a coordinated and harmonious effort between the City and County, jointly cultivating a local food system, and jointly encouraging the agricultural development opportunities within the Plan. A summary of the recommended next steps include the following:

1. Adams County and Brighton should commit to annually and jointly applying for a minimum of \$1M of competitive Adams County Open Space Grant Funds, and applying 250K each of their Open Space share-back funding for preserving agricultural lands within the District. Grant funds are derived from a combination of existing Open Space sales tax, matching GOCO grant funds, and other funding sources which may be available.
2. Adams County and Brighton will develop an evaluation matrix for agricultural land preservation opportunities to include, but are not limited to:
 - Prioritize lands that inherently help maintain agricultural operations and wildlife habitat.
 - Define goals around water resources to sustain agricultural production and address future municipal need.
 - Focus on designated prime agricultural lands that are contiguous to optimize farming efficiencies.
 - Where possible, focus on existing view sheds.
 - Assess existing and future transportation constraints.
3. Explore the creation (of) a revolving fund to ensure a portion of property tax funds from the District area are allocated for reinvestment and future land acquisition of strategically located land that would enhance agricultural preservation and help to define the character of development as outlined in this plan. Seek out other funding opportunities and financing to implement and sustain the District Plan's recommendations.
4. Adams County and Brighton should jointly enhance the Ag-Land Preservation sub-committee and appoint key members.
5. As part of the plan, a new, full-time equivalent employee dedicated to local food system programming and marketing efforts would be beneficial. This position could be funded equally by Adams County and Brighton for a minimum of two years, with evaluation thereafter, with the goal of the position to be self-sustaining via grant funds thereafter.
6. Contemplate the release of a request for proposals to meet the objectives of the District Plan by the development community.

7. Amend Adams County and City of Brighton regulations and standards to help implement the Local District Plan in regards to transfer of development rights (TDR), and other zoning and design related amendments.
8. Adams County and the City of Brighton will explore other opportunities to work together to implement the District Plan's strategies, actions and recommendations.
9. Pursue opportunities in which historic preservation grants and tax credits might help to rehabilitate historic farm properties.

The full action plan can be found on pages 71-78 which includes additional options and actions that the City and County might explore to further the goals of this plan.

REVIEW OF THE PUBLIC DRAFT

In addition to the multiple opportunities for community engagement and feedback during the drafting process, an additional referral process was provided to review the draft Plan. A request for comments was sent by Adams County to over 170 agencies and 1,600 property owners within and around the District Plan boundaries. Below is a summary of the comments received and the response provided by the County (and on certain occasions, City) staff. A full set of the comments received and a list of individuals who received the request is attached to the staff report for reference.

Referral Agency Comments

E-470 Public Highway Authority has no comment on this issue.

The Colorado Department of Public Health and Environment has no comment on this issue.

The Colorado Department of Transportation (CDOT) has indicated they will submit a comment. As this comment was not received by the sending date of the staff report, a hard copy will be provided to the Planning Commission if submitted prior to the public hearing.

The Denver International Airport (DIA) Planning Office offered the following general comment: Any future structure, building, tower or other object proposed, that will be at a height greater than 200 ft. above ground level will require filing a "Notice of Proposed Construction or Alteration" with the Federal Aviation Administration (FAA) via the FAA's 7460-1 notification process. A copy of the FAA Advisory is available upon request, but has not been included in this packet because of its length.

Citizen Comments

Staff received seven comments from citizens in regards to the proposed District Plan during the referral process. Comments were reviewed by Staff and incorporated into the Plan as appropriate. A response from Staff is included after each comment in italics.

1. In a letter dated February 8, 2016, and sent by email to the City of Brighton, Michael Richardson, manager of Brighton Lakes, LLC and General Partner of Indigo Trails, LLLP, requested the properties of Brighton Lakes, Indigo Trails, and 40 adjacent acres (SE corner of 144th and Chambers) be excluded from the District Plan, or designated mixed-use residential. While he stated support for the vision of preserving the City of Brighton and Adams County agricultural heritage, he also voiced concerns with the Plan.

He suggested conducting an economic feasibility study to detail funding for the District Plan Vision, exclusion of City-annexed lands from the Plan Area, moving the western boundary to Sable Road, and other suggestions.

Much of the financial information regarding agricultural feasibility in the District Area was informed by an Agricultural Market Study performed for the District Plan, and the Market Assessment completed for the Be Brighton Comprehensive Plan. The District Plan calls for a County-wide market study prior to changes to the TDR program, and additional research regarding funding strategies, especially of outside funds, for plan implementation. Brighton Lakes, Indigo Trials and the property at 144th and Chambers were not redacted from the District Plan Area as this would create a “doughnut hole” of uncertainty for future planning. As these properties are generally already in the Brighton City limits or anticipated to be annexed, the District Plan Future Land Use Map defers to the Be Brighton Future Land Use Map for these areas, which categories them as low density residential.

2. In an email dated March 1, 2016, Alan Hale of the City of Brighton Agriculture Land Preservation Sub-Committee (Ag-Preservation Sub-Committee), provided comments to the City of Brighton regarding the issue of “edges”, or appropriate transitions between agricultural property and more developed uses adjoining them. He described special concerns of the Ag-Preservation Sub-Committee regarding the north and western portions of the generalized District Plan Boundary.

Staff met with the Ag-Preservation Sub-Committee on February 29 and March 9, 2016 to discuss these concerns and others. Following requests for Future Land Use Plan revisions to the Local District Mixed Use category by property owners in the described area, other plan revisions, and discussion with the Committee, staff feels this comment has been fully addressed. A letter of support was formally submitted by the Ag-Preservation Sub-Committee as described below.

3. In a letter dated March 10, 2016 the City of Brighton Ag-Preservation Sub-Committee formally endorsed their support of the District Plan. The letter describes the outreach of the City of Brighton and Adams County, and the opportunity of citizens and stakeholders to participate in the plan process and shape the final product. The Committee urges the adoption of the District Plan and incorporation into future planning efforts.

Staff appreciates the time and efforts of the Ag-Preservation Sub-Committee to serve in an advisory and participatory role during the development of the District Plan, and hopes the Committee will continue to shepherd the Plan’s implementation if adopted.

4. In an email dated February 23, 2016, R. Wayne Walvoord of 346 Miller Avenue, Brighton, thanked staff for providing a hard copy of the District Plan at the Open House, and shared information regarding CoHousing and Aging in Place. He suggested ways in which local jurisdictions could work together on this issue, and asked to be aligned with known contacts with similar interests.

Staff appreciated Mr. Walvoord’s sharing of information and looks forward to working with him and other contacts and stakeholders on CoHousing and Aging in Place opportunities. Staff requests Mr. Walvoord serve on the Technical Advisory Committee for the next Balanced Housing Plan update.

5. In separate emails dated February 24 and February 25, 2016, Brook and Mianne Besser of 14640 E. 136th Avenue, Brighton, expressed concerns regarding the lack of knowledge of the timing and the rights of ways/cross section location of improvements to 136th Avenue and Sable. Not knowing where roads and sidewalks would be located caused concerns for those with homes near the roads, and uncertainty in regards to property improvements.

Staff spoke to Mr. Besser on March 3, 2016 and spoke with Kimberly Dall at the City of Brighton, Transportation Department. Ms. Dall indicated a study was being conducted at the intersection of 136th and Sable to better understand traffic needs and design options, and that alignment designs were not available as the road improvements would be demand-driven and likely after 2040.

6. In an email dated March 4, 2016, Janice Miles sent an email expressing concerns the City of Brighton and Adams County were disallowing property owners in the District Plan Area to sell their land for development.

The District Plan contains a variety of provisions to expand development options for property owners. Property owners may sell their lands without restriction. The District Plan does not preclude development opportunities in accordance with the Plan. Staff welcomes a meeting to discuss future plans with property owners or further discuss their options.

7. After meeting with Adams County staff on March 1, 2016, and subsequent refinement over email, Phyllis Mayhew, 14801 E. 144th Avenue, Brighton, and Anne Anderson, 14605 Sable Blvd., Brighton, submitted the following written statement approved jointly on March 9, 2016:

We would like to see the red and the green portions of the Future Land Use Map in the upward northwest of the study area changed from red (Employment- Commercial) and green (Agriculture and Parks and Open Space) to the brown, Local District Mixed Use category. We would like to get a little closer in the plan to bringing in higher use development to this area and our land. We want to encourage higher value development prices in this area. We are concerned about appraisals being low because of a lack of recent sales and it is hard to know how to know and time the market in terms of selling. We must think of our family needs. Overall, we have concerns about the generation below coming up and taking over farms. A lot of turnover in farming could be the outcome going forward with the new plan because of little experience in being able to look into the future of when there will be crop excess, a good year for paying bills and maintaining daily life, or bad years due to weather or decrease in crop profits so then with no profit for the hard work done and the ensuing debt. Many of the younger generation wants no part of farming. We felt heard today although our concerns remain with what our futures hold with this new district plan.

The District Plan Future Land Use Map was amended to reflect Ms. Mayhew and Ms. Anderson's desires to have their properties in the District Plan Mixed Use category.

Adoption Draft (Revisions to the Public Draft)

Several changes were made to the public draft of the plan in order to prepare the Adoption draft that is before the Commission. The revisions were made in response to the comments received

in writing above, during the public open house discussions, and for further refinement and direction from staff and City and County leaders (Boards, Commissions, and Council). Small grammatical edits, or points of clarification were added to nearly every page in the document. However, the major changes are as follows:

- Pg. 28: Opportunities and limitations for the district were shifted. Many felt that that some of the points listed as limitations or obstacles should actually be opportunities that can contribute to the goals of the district.
- Pg. 34: Additional clarification was added to explain the existing funding capacity of the County and City open space programs.
- Pg. 35: The Land Use Crosswalk was added to clarify what types of future land uses align with the landowner options.
- Pg. 37: Clarification that the Future Land Use Map is not zoning, and the role of the County Future Land Use Map.
- Pg. 39: The County Future Land Use Map was revised as requested by public comment, and to expand the Local District Mixed Use category (thus expanding the development options over properties that were previously listed for agriculture or open space on the public draft Plan)
- Pg. 53: Alternative Options were added to further demonstrate the benefits and values of the TDR option
- Pg. 64: Additional street sections (taken from the City Transportation Master Plan) have been included to better represent the range of city street designs that might occur within the district.

STAFF ANALYSIS:

PLANNING COMMISSION AUTHORITY

It is the duty of the Planning Commission to make and adopt a master plan for the physical development of the territory within the municipal boundaries, including areas outside its boundaries that bear relation to the planning of the municipality. The Planning Commission is required to develop a master plan for the general purpose of "guiding and accomplishing a coordinated, adjusted, and harmonious development of the municipality and its environs which will, in accordance with present and future needs, best promote the health, safety, order, convenience, prosperity, and general welfare" of the citizens. In preparing a master plan, the Planning Commission should "make careful and comprehensive surveys and studies of present conditions and future growth of the municipality, with due regard to its relation to neighboring territory." (CRS 31-23-206 and -207)

Additionally, state statutes authorize and encourage local government entities in Colorado to make the most efficient and effective use of their powers and responsibilities by cooperating and contracting with other local governmental entities. Local governments are empowered to contract with one another to provide any function, service, or facility that each entity is lawfully authorized to provide on its own. Colorado municipalities have express authority to enter into agreements with adjoining counties for joint participation in land use planning, subdivision, and zoning for specific areas designated in an intergovernmental agreement (IGA), and the collaborative efforts of the City and County in drafting and potentially adopting this Plan are

consistent with that authority. As an example of the benefits of such cooperation, already our shared efforts have saved the City 75% of the consultant costs that would have been incurred had the City pursued this work on its own.

Furthermore, section 17-8-20(b)(5) of the Brighton Municipal Code states that “The Planning Commission shall have final decision jurisdiction over...The Comprehensive Plan, amendments to the Comprehensive Plan, master plans and master plan amendments...” Being a master plan of the Local District area, which lies within areas that may affect or bear relation to the planning and development of the City, the final approval of the Plan as it relates to City-annexed territories is within the authority of the Planning Commission.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The proposed District Plan was drafted in harmony with the Be Brighton Comprehensive Plan, and furthers the goals and policies in Be Brighton. During the public engagement process for the Comprehensive Plan, the Local District area was repeatedly mentioned by Brighton residents as an area that development should be carefully reviewed so that agricultural uses might be preserved. In fact, the agricultural and open space centered vision theme – A Future Rooted & Growing in a Shared Heritage & Home Town Feel – was the most supported of all four visioning components to the Plan. This vision and the public’s feedback was incorporated into the Comprehensive Plan Opportunity Area 11. US 85 Opportunities, which acknowledges that there are limited services and infrastructure in the Plan area, that it is desirable and sensible to focus development toward appropriate locations, and that it is important to Brighton residents to protect agricultural view sheds along the corridor. Opportunity Area 18. Continue to Encourage Prime Farmland Preservation also addresses the preservation of existing prime farmlands within the Local District boundary and the shared vision that should be encouraged between the City of Brighton and Adams County in planning and developing this area.

Additionally, the proposed District Plan furthers the goals of the following City-wide principles within the Be Brighton Comprehensive Plan:

Managing Growth Principle 1:

- Policy 1.1: New Growth Should Favor Existing Areas of Infrastructure Investment and Planning
- Policy 1.5: Carry Out Ongoing, Transparent and Cooperative Interagency and Interdepartmental Planning Efforts

The Freestanding City Principle 2:

- Policy 2.3: The Urban Service Area is Designed to Accommodate Aggressive (High) 2040 Employment and Population Projections and Beyond.
- Policy 2.4: Concentrate Urban Development in Urban Areas, and Agricultural Operation in Agricultural Areas.
- Key Strategies for the Freestanding City:
 - Implement a joint Adams County/ Brighton District Plan for south Brighton.
 - A farmlands protection program should protect greenbelt open space through a multifaceted approach.

- Development projects in targeted areas should have the voluntary option to increase the intensity of development on portions of their property by protecting on- or off-site farmland.
- Evaluate voluntary options and/or incentives in City code for developers to increase the intensity of development in their projects by protecting on- or off-site farmland in targeted areas through cluster standards or a Transfer of Development Rights program or other density bonus system in cooperation with Adams and Weld counties

Open Space and Natural Environment Principle 3:

- Policy 3.1: Promote Greenbelt Open Space Patterns for a Freestanding City
 - Sub-point #2 specifically addresses the preservation of Second and Third Creek and the preservation of farmlands along Potomac Street and US 85.
- Policy 3.2: Promote Urban Open Space Patterns
- Policy 3.3: Protect and Enhance Water Resources Through Public and Private Actions
- Policy 3.4: Protect Human Safety and Enhance the Drainage and Flood Control Capacity of Waterways Through Public and Private Actions
- Key Strategies:
 - A portion of Brighton's recreation sales tax will be directed toward...open space purchases both within the City limits and in agriculture areas.
 - Building and lot clustering should be strongly encouraged for all projects to create the maximum size of natural areas and usable open space.
 - Support sustainable practices to encourage smaller organic or "boutique" farms that produce food for local businesses and individuals, as well as contribute to the economic diversity and sustainability of the local economy.
 - Work with developers to incorporate community gardens or boutique farms within developments. Consider programs, incentives and code revisions necessary to achieve these outcomes.

Recreation and Tourism Principle 9:

- Policy 9.1: Provide High Quality Amenities and Easy, Attractive Access for Both Residents and Visitors
- Policy 9.2: Educate Tourists and Residents on the Availability of Tourism Activities.
- Policy 9.3: Ensure that Land Uses and Transportation Support Tourism
- Key Strategies:
 - Proactively work with the Chamber of Commerce and local business community on tourism building efforts. Work with CDOT, Colorado Tourism Office, and other partners to promote nature based and agritourism related activities...
 - Use the "It all Grows in Brighton" website and I-70 Regional Economic Advancement Partnership (REAP) to promote agritourism activities...

FINDINGS:

In summary, staff finds that the Planning Commission has the authority and responsibility to adopt master plans of the community through powers vested by the Colorado State Statutes and the City of Brighton Land Use and Development Code. Staff additionally finds that the proposed Plan is in compliance with the Be Brighton Comprehensive Plan and the applicable policies

within, and fulfills the intent and purpose of the IGA approved by the City Council. Therefore, staff has drafted a Resolution of approval for the Planning Commission's consideration. In order to ensure Plan consistency between Adams County and the City of Brighton, staff has drafted a Resolution also authorizing staff to make minor corrections to the Plan until May 31st.

OPTIONS FOR THE COMMISSION'S CONSIDERATION

- Approve the Resolution as drafted,
- Approve the Resolution with specific conditions or changes to the Plan,
- Continue the public hearing to a later date certain with specific reasons for the continuation, or
- Direct staff to draft a Resolution of denial with specific facts and findings for the denial.

ATTACHMENTS:

- Draft Resolution (w/out exhibits)
- Local District Plan IGA & Council Resolution
- Mailing List of Request for Comments
- Agency and Public Comment Letters
- The proposed Local District Plan (Adoption Draft – March 2016, bound)